

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document #

6

U.S.C.A. #

U.S.D.C. #

JUDGE:

DATE:

Primoos

-v-

Silvers, et al

08-cv-1092

KMW

2/29/2008

INDEX TO THE RECORD ON APPEAL

U.S. DISTRICT
FILED
FEB 29 2008
S.D. OF N.Y.

PREPARED BY (NAME):

THOMAS R. PISARCZYK

FIRM:

U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK

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DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 27th Day of February, 2008.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Primors
-v-
Silvers, et al

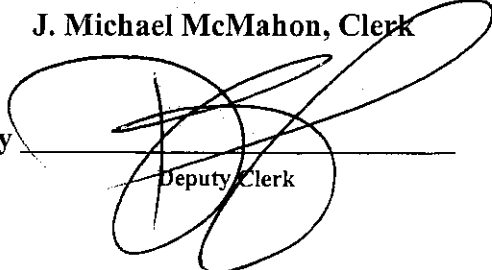
U.S.C.A. # _____
U.S.D.C. # *08-cv-1092*
JUDGE: *KMW*
DATE: *2/29/2008*

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 5, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

<u>Date Filed</u>	<u>Document Description</u>
_____	_____
_____	_____
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_____	_____

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 29th Day of February In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232ND year.

J. Michael McMahon, Clerk
By  Deputy Clerk

APPEAL, CLOSED, PRO-SE

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:08-cv-01092-KMW
Internal Use Only

Primous v. Silvers et al
Assigned to: Judge Kimba M. Wood
Demand: \$44,000
Cause: 28:1331 Fed. Question: Other

Date Filed: 02/04/2008
Date Terminated: 02/04/2008
Jury Demand: None
Nature of Suit: 190 Contract: Other
Jurisdiction: Federal Question

Date Filed	#	Docket Text
02/04/2008	<u>1</u>	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Matthew Scott Primous.(laq) (Entered: 02/14/2008)
02/04/2008	<u>2</u>	COMPLAINT against Derek Silvers, CD Baby Inc.Document filed by Matthew Scott Primous.(laq) (Entered: 02/14/2008)
02/04/2008		Magistrate Judge Ronald L. Ellis is so designated. (laq) (Entered: 02/14/2008)
02/04/2008	<u>3</u>	ORDER OF DISMISSAL, The Court grants plaintiff's application to proceed in forma pauperis, but must dismiss the complaint for the reasons set forth. Accordingly, the complaint is dismissed for lack of subject matter jurisdiction, as well as for being frivolous and failing to state a claim. The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 2/4/8) (laq) (Entered: 02/14/2008)
02/04/2008	<u>4</u>	JUDGMENT. Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed. 28 U.S.C. 1915(e)(2). We certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Kimba M. Wood on 2/4/8) (laq) (Entered: 02/14/2008)
02/22/2008	<u>5</u>	NOTICE OF APPEAL from <u>3</u> Order Dismissing Complaint (I.F.P.), <u>4</u> Judgment - Sua Sponte (Complaint). Document filed by Matthew Scott Primous. (tp) (Entered: 02/29/2008)
02/22/2008		Appeal Remark as to <u>5</u> Notice of Appeal filed by Matthew Scott Primous. \$455.00 APPEAL FEE DUE. IFP REVOKED 2/4/08. (tp) (Entered: 02/29/2008)
02/29/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>5</u> Notice of Appeal. (tp) (Entered: 02/29/2008)
02/29/2008		Transmission of Notice of Appeal to the District Judge re: <u>5</u> Notice of Appeal. (tp) (Entered: 02/29/2008)